HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.9351 of 2007

Date: 01-05-2007.

Between :

M/s.RGA Sound Image, Secunderabad,
rep. by its Partner.

.....Petitioner

And

The Deputy Commercial Tax Officer, Secunderabad &
another.

.....Respondents.

HON'BLE SRI JUSTICE BILAL NAZKI
AND
HON'BLE SRI JUSTICE NOOTY RAMAMOHANA RAO

WRIT PETITION No.9351 of 2007

ORDER : (Per Hon'ble Sri Justice Bilal Nazki)

Heard learned Counsel for the parties. With their consent, the Writ Petition is being disposed of at this stage.

Case of the petitioner is that he stood surety for respondent No.2 for the year 2000-2001. Now, a demand has been raised against him for the year 2002-03. Yesterday, when the case came up before the Court, the learned Government Pleader sought time to get instructions. On facts, there is no dispute and the controversy falling for decision in this matter is covered by our earlier judgment in **N e w Kamal Bar & Cafe, Hyderabad v. State of A.P.**[1] In this view of the matter, the writ petition is allowed. The demand notice dated 2nd April 2007 is set aside. However, the respondent No.1 shall have the liberty of recovering the amount due from

the petitioner in accordance with law.

BILAL NAZKI, J

1st May 2007

NOOTY RAMAMOHANA
RAO, J

ajr

[1] 42 APSTJ 77